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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Senanayake et al. Confirmation No.: 4449  
Serial No.: 09/998,195 Art Unit: 1621  
Filed: December 3, 2001 Examiner: S. Kumar  
For: Synthesis, Methods of Using and Attorney Docket No.: 4821-409-999  
Compositions of Hydroxylated  
Cyclobutylalkylamines

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 17, 2004 of the Primary Examiner finally rejecting claims 1-8 and 32-43 of the above-identified application.

The item(s) checked below are appropriate:

1.  An extension of time for responding to the final rejection for month(s):  
 was filed on  
 is submitted herewith.
2.  A timely response to the final rejection has been filed.
3.  A fee in the amount of \$330.00 is:  
 Required.  
 Not required (Fee paid in prior appeal).
4.  Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$165.00 is:  
 Required.  
 Not required (Fee paid in prior appeal).
5.  Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: September 16, 2004

  
Max Bachrach

45,479

(Reg. No.)

For: Anthony M. Insogna (Reg. No. 35,203)  
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